



Planning Commission

1                   **FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING**  
2   **May 16, 2018**

3 The meeting was called to order at 7:01 p.m.

4 **Location:** North Berkeley Senior Center, Berkeley, CA

5 **Commissioners Present:** Steve Martinot, Benjamin Beach, Robb William Kapla, Christine  
6 Schildt, Jeff Vincent, Rob Wrenn, Prakash Pinto, Benjamin Fong, Mary Kay Lacey.

7 **Commissioners Absent:** None.

8 **Staff Present:** Alex Amoroso, Alene Pearson, Elizabeth Greene, and Sydney Stephenson.

9 **ORDER OF AGENDA:** No changes.

10 **CONSENT CALENDAR:** None.

11 **PUBLIC COMMENT PERIOD:** 1 speaker.

12 **PLANNING STAFF REPORT:** On March 27, Council approved R-1A amendments as Planning  
13 Commission recommended with the exception of changing the applicable projects to residents  
14 with Use Permits. On May 5, Council approved the first reading of the ADU Chapter  
15 amendments. JSISHL meets tomorrow night (May 17). ZORP Subcommittee meets on May 23  
16 from 7pm to 9pm. This is Principal Planner, Alex Amoroso's last meeting; the City has been  
17 interviewing for his replacement.

18 **COMMUNICATIONS IN PACKET:**

- 19           • 2018-05-16 – Nathan Stalnaker – Regional Measure 3  
20           • 2018-05-16 – Jordan Klein – COB Arts and Culture Plan

21  
22 **LATE COMMUNICATIONS** (Received after the Packet deadline): None.

23 **LATE COMMUNICATIONS** (Received and distributed at the meeting):

- 24           • 2018-05-16 Staff – Revised Cannabis Nurseries Map  
25           • 2018-05-16 Sally Nelson – 1900 4<sup>th</sup> Street and SB35 fast track permit

26 **CHAIR REPORT:** None.

27 **COMMITTEE REPORT:** None.

28 **7. APPROVAL OF MINUTES:**

29 Motion/Second/Carried (CS/JV) to approve the Planning Commission Meeting Minutes from  
30 April 18, 2018 with amendments to: 1) the motion regarding the 1050 Parker project, 2) the  
31 summary of staff update of the Adeline Corridor Project. Ayes: Lacey, Beach, Martinot, Schildt,  
32 Kapla, Vincent, Pinto, Fong. Noes: None. Abstain: Wrenn. Absent: None. (8-0-1-0)

33  
34 **8. FUTURE AGENDA ITEMS AND OTHER PLANNING-RELATED EVENTS:** The next  
35 Planning Commission meeting is on June 20. At this meeting the Office of Economic  
36 Development will present their small business package referral and staff will provide an  
37 update on the Planning Commission’s work plan.

38 **AGENDA ITEMS**

39 **9. Action: Public Hearing: Urban Agriculture**

40 Staff presented the draft Zoning Ordinance language for Urban Agriculture and provided a  
41 brief overview of the content changes that addressed Planning Commission direction and  
42 public input from the March 21 meeting. The Planning Commission held a public hearing for  
43 this topic and then discussed the draft Zoning Ordinance language. The Commission passed  
44 the following motions.

45 Public Comments: 1 speaker.

46 Motion/Second/Carried (CS/MK) to recommend to Council:  
47 1) Adopt new BMC Chapter 23C.26 Urban Agriculture, with modification to 23C.26.060.E to  
48 read as: Any Urban Agriculture use that uses non-organic pesticides is considered an HIUA.  
49  
50 2) Adopt new definitions of Urban Agriculture and Urban Agricultural Products, with  
51 modification to Urban Agriculture to read as: Urban Agriculture (including community gardens):  
52 the production of horticultural crops for harvest, sale, and/or donation. Urban Agriculture does  
53 not include cannabis cultivation.  
54  
55 3) Amend *Uses Permitted Tables* in all applicable Zoning districts to allow for Urban  
56 Agriculture, and a ZC for Accessory Buildings on lots with Urban Agriculture.  
57  
58 4) Consider the use of pesticide in the City and the State preemption of local regulation of  
59 pesticide use; and to refer to the appropriate Commission for further analysis  
60  
61 The motion passed 9-0-0-0. (Ayes: Lacey, Beach, Martinot, Schildt, Kapla, Vincent, Wrenn,  
62 Pinto, Fong. Noes: None. Abstain: None. Absent: None.)

63  
64 **10. Discussion: Council Referral: Allowing Existing Nurseries to incorporate**  
65 **Cannabis Sales**

66 Staff reviewed the issues and concerns of considering allowing existing nurseries to  
67 incorporate cannabis retail sales, including: location of existing nurseries, conformity with

68 state regulations, and conformity with local regulations. The Planning Commission discussed  
69 this issue and unanimously decided to not take this issue up until the Council provides more  
70 clarity including a decision on the quota for retail licenses and the location of retail licenses.

71 Public Comments: 2 speakers.

72 **11. Discussion: Transition of Subcommittee on Affordable Housing and**  
73 **Community Benefits – Reconstitute and Refocus**

74 At the last subcommittee meeting the commissioners discussed the next steps for the  
75 subcommittee and the referrals related to affordable student housing. The Chair suggested  
76 an option to refocus the subcommittee to Affordable Student Housing and reconstitute the  
77 subcommittee with new commissioners. The Commission decided to wait to make a decision  
78 about this subcommittee until the Joint Subcommittee decides on their work plan.

79 Public Comment: 1 speaker.

80

81 The Commission acknowledged Alex Amoroso’s last Planning Commission meeting before  
82 his retirement.

83 **The meeting was adjourned at 9:30 pm**

84 **Commissioners in attendance: 9 of 9**

85 **Members in the public in attendance: 6**

86 **Public Speakers: 5 speakers**

87 **Length of the meeting: 2 hour and 29 minutes**